

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PACIFIC INSURANCE COMPANY, LTD.,

Plaintiff,

v.

JOSEPH LAPLANTE,

Defendant.

Civil Action No.:

7:09-CV-00389 (TJM/GJD)

STIPULATION AND ORDER

OF DISMISSAL

WHEREAS, plaintiff has filed suit by way of a Summons and Complaint dated April 3, 2009; and

WHEREAS, the defendant has not appeared in the action nor has plaintiff served defendant with the Summons and Complaint; and

WHEREAS, plaintiff wishes to discontinue the action, without prejudice;

IT IS STIPULATED AND AGREED, that the above-entitled action be and the same is hereby discontinued, without prejudice and without cost to either party.

GOLDBERG SEGALLA LLP

BY: /s/ Sharon Angelino

Sharon Angelino, Esq. (Bar No. 515447)

Attorneys for Plaintiff, Pacific

Insurance Company, Ltd.

665 Main Street, Suite 400

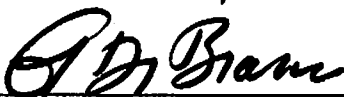
Buffalo, New York 14203-1425

(716) 566-5400

E-Mail: sangelino@goldbergsegalla.com

SO ORDERED:

9/25/09



Hon. Gustave J. DiBianco
United States Magistrate Judge